

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MISCELLANEOUS FIREARMS AND
AMMUNITION,

Defendants.

Civil Action No. 2:21-cv-761

VERIFIED COMPLAINT FOR FORFEITURE

AND NOW comes the United States of America, by and through its counsel, Stephen R. Kaufman, Acting United States Attorney for the Western District of Pennsylvania, and David Lew, Assistant United States Attorney for the Western District of Pennsylvania, and respectfully represents as follows:

1. Plaintiff, the United States of America, brings this civil action *in rem* for forfeiture to the United States of the following property, further described at asset identification numbers 21-ATF-006160, 21-ATF-006161, 21-ATF-006163, 21-ATF-006165, 21-ATF-006168, and 21-ATF-006169 (collectively, the “Defendant Property”) pursuant to 18 U.S.C. § 924(d):

- a. Browning A-Bolt .30 caliber rifle, bearing serial number 01725MZ351;
- b. Charter Arms Undercover .38 caliber revolver, bearing serial number 592613;
- c. Ruger SR9C 9mm pistol, bearing serial number 336-21859;
- d. Cobra ENT, INC/Kodiak IND/Bearman IND. CB38 Derringer, bearing serial number CT199400;
- e. Keltec, CNC Industries, INC P3AT .380 caliber pistol, bearing serial number HBA08; and
- f. Approximately 371 rounds of assorted ammunition.

2. Jurisdiction is predicated upon 28 U.S.C. §§ 1345 and 1355. Venue is proper under 28 U.S.C. §§ 1395 and 1355.

3. On January 5, 2021, agents of the Bureau of Alcohol, Tobacco, Firearms and Explosives (the “ATF”) searched the residence of Brian Oinos (“Oinos”) pursuant to a federal search warrant. The investigation concerned an explosive device thrown from a vehicle on January 3, 2021 on Penn Avenue in Pittsburgh. The vehicle was later determined to belong to Oinos.

4. During the search of Oinos’ residence, agents located the Defendant Property in the basement, kitchen, office, and living room areas. Agents also found a tube and baggie of suspected marijuana and various items of drug use paraphernalia in the living room.

5. Additionally during the search, agents voluntarily interviewed Oinos. Prior to the interview, agents advised Oinos of his Miranda rights, which he waived in writing. Among other statements, Oinos admitted that he used marijuana daily. As a regular marijuana user, Oinos was prohibited under 18 U.S.C. § 922(g)(3) from possessing firearms or ammunition.

6. Agents also interviewed Oinos’ girlfriend, who lived with him. She stated that Oinos commonly uses marijuana and has used marijuana for the past 12 years.

7. Based on the above, the Defendant Property was seized for forfeiture by agents pursuant to 18 U.S.C. § 924(d).

8. On or around January 27, 2021, Oinos signed a Consent to Forfeiture form relinquishing all rights, title, and interest in the Defendant Property.

9. The ATF instituted administrative forfeiture proceedings against the Defendant Property. During those proceedings, Oinos filed a claim for the Defendant Property. As a result, the United States has instituted this civil forfeiture action against the Defendant Property.

10. By reason of the foregoing, and under the provisions of 18 U.S.C. § 924(d), the Defendant Property is forfeitable to the United States.

WHEREFORE, the United States of America respectfully requests that a warrant *in rem* issue for the arrest of the Defendant Property; that judgment of forfeiture be entered in favor of the United States for the Defendant Property; and that the United States be granted such relief as this Honorable Court may deem just and proper, together with the costs and disbursements of this action.

Respectfully submitted,

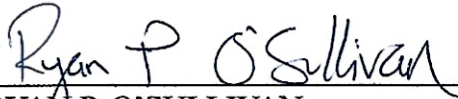
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VERIFICATION

I am a Special Agent of the Bureau of Alcohol, Tobacco, Firearm and Explosives and an agent assigned the responsibility for this case. I have read the contents of the foregoing complaint for forfeiture and the statements contained therein are true and correct to the best of my knowledge and belief.

I verify under penalty of perjury that the foregoing is true and correct. Executed on this 4th day of June, 2021.



RYAN P. O'SULLIVAN
Special Agent
Bureau of Alcohol, Tobacco,
Firearms and Explosives